

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MICHIGAN  
NORTHERN DIVISION

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LAURIE McCANN,

Plaintiff,

v.

Case Number 06-13150

Honorable Thomas L. Ludington

MIDLAND COUNTY EDUCATIONAL  
SERVICES AGENCY,

Defendant.

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**STIPULATION**

NOW COME the above named parties, by and through their respective attorneys,  
and stipulate and agree that the above cause be dismissed without costs to the parties but  
with prejudice as to the parties.

Dated: June 2, 2009

s/MICHAEL J. FORSTER  
MICHAEL J. FORSTER (P 25048)  
Attorney for Plaintiff  
602 Hancock  
Saginaw, Michigan 48602  
(989) 790-5917

Dated: June 2, 2009

s/DAVID A. WALLACE  
DAVID A. WALLACE (P 24149)  
Attorney for Defendants  
P.O. Box 1966  
Saginaw, Michigan 48605  
(989) 790-0960

**ORDER DENYING PLAINTIFF'S MOTION FOR ATTORNEY FEES**

On April 30, 2008, a jury found Defendant liable for violating Michigan's  
Whistleblowers' Protection Act ("WPA"), Mich. Comp. Laws § 15.362, and breach of

Plaintiff's employment contract. After obtaining a verdict, the Court granted in part Defendant's motion pursuant to Fed. R. Civ. P. 50 and entered a judgment on September 12, 2008. Plaintiff's motion for attorney's fees, authorized by the WPA, is the only outstanding issue before the Court.

After entry of a judgment, this case was resolved and closed except for the outstanding issue of Plaintiff's motion for attorney fees. Thus, as a consequence of the parties' stipulation, the only relief available is to deny Plaintiff's motion for attorney's fees.

Accordingly, it is **ORDERED** that Plaintiff's motion for attorney fees that [Dkt. # 134] is **DENIED** as moot without costs to the parties.

s/Thomas L. Ludington  
THOMAS L. LUDINGTON  
United States District Judge

Dated: June 4, 2009

**PROOF OF SERVICE**

The undersigned certifies that a copy of the foregoing order was served upon each attorney or party of record herein by electronic means or first class U.S. mail on June 4, 2009.

s/Tracy A. Jacobs  
TRACY A. JACOBS